

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANGELICA JIMENEZ,

Civil Action No.:
1:21-cv-2626

Plaintiff,

NOTICE OF REMOVAL

-against-

TARGET CORPORATION,

New York County
Index No.: 154890/2020

Defendant.

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TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK:

Defendant, TARGET CORPORATION ("Target"), by its attorneys,
SIMMONS JANNACE DeLUCA, LLP, Allison C. Leibowitz, Esq., of
counsel, upon information and belief, respectfully petitions the
Court, pursuant to 28 U.S.C. § 1441, as follows:

1. On or about July 1, 2020, the above-captioned civil
action was commenced and is now pending in the Supreme Court of
the State of New York, County of New York, bearing index number
154890/2020. A trial has not yet been had therein. A copy of
the Summons and Verified Complaint is annexed hereto as **Exhibit**
"A". On or about August 3, 2020, Target served its Verified
Answer to plaintiff's Verified Complaint, a copy of which is
annexed hereto as **Exhibit "B"**.

2. The action seeks monetary damages for personal
injuries allegedly suffered by plaintiff, ANGELICA JIMENEZ, on
March 2, 2020 when she allegedly slipped and fell at the Target

store located at 124 East Jericho Turnpike, Huntington Station, in Suffolk County. The plaintiff's Complaint sounds in negligence.

3. The action involves a controversy between citizens of different states, in that: (a) Plaintiff is a citizen of the State of New York, residing in Suffolk County; and (b) Defendant, TARGET CORPORATION is now, and was at the time the action was commenced, a corporation incorporated in the State of Minnesota, with its principal place of business in the State of Minnesota.

4. Accordingly, there is complete diversity between defendant and plaintiff and this action is one of which the District Courts of the United States have original jurisdiction under 28 U.S.C. § 1332.

5. In addition, the amount in controversy exceeds \$75,000. On or about March 15, 2021, plaintiff served her Response to Combined Demands, in which plaintiff alleges damages of \$3 million. A copy of the response without attached authorizations is annexed hereto as **Exhibit "C"**.

6. This Notice of Removal is being filed within 30 days of Petitioner receiving a writing wherein plaintiff alleges damages in excess of \$75,000.

9. Written notice of the filing of this Notice of Removal will be given to plaintiff promptly after the filing of this Notice.

9. A true and correct copy of this Notice of Removal will be filed with the Clerk of the Court of the Supreme Court of the State of New York, County of New York promptly after the filing of this Notice.


10. Attached to this Notice, and by reference made a part hereof, are true and correct copies of all process and pleadings filed herein.

11. By filing this Notice of Removal, Defendant does not waive any defense which may be available to it, specifically including, but not limited to, its right to contest *in personam* jurisdiction over Petitioner, improper service of process and the absence of venue in this Court or the Court from which this action has been removed.

WHEREFORE, Defendant prays that the above-captioned action now pending in the Supreme Court in the State of New York, County of New York, be removed therefrom to this Court.

Dated: Hauppauge, New York
March 26, 2021

Simmons Jannace DeLuca, LLP

BY: 
Allison C. Leibowitz
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